

**MINUTES
BIXBY BOARD OF ADJUSTMENT
BIXBY CITY HALL, COUNCIL CHAMBERS
7PM, JUNE 3, 2002**

MEMBERS PRESENT STAFF PRESENT MEMBERS ABSENT
JEFF WILSON JIM COFFEY DARRELL MULLINS
CARL CARNAHAN
DAVE HILL
LONNIE JEFFRIES

1. CALL TO ORDER 7:05 pm

Chairman Wilson moved items 2, 3, & 4 consideration of minutes to the bottom of the agenda.

Item 5 BBOA 384 Discussion and possible action of approval of a Variance from Chapter 2, Section 240e, Back Yard Obstructions to construct a detached 30' x 40' Metal Garage Building, William B & Gloria J Sanders, applicants.

STAFF REPORT: Chapter 2, Section 240e reads, "In the RE and RS Districts detached accessory buildings may be located in a rear yard provided the accessory building in the aggregate do not cover more than 20% of the area of the rear yard or exceed 750 square feet of floor area, whichever is less."

Staff has not received any calls and is not opposed to this request. Recommend approval.

Hill asked the applicant concerning the use of the building. Sanders, applicant, said he had collector cars he wanted to store. Hill asked if he would do body work. Sanders replied no heavy work just restore his cars.

Carnahan asked if the garage would obstruct anyone's vision. Sanders explain it would not. It is in the back yard with a privacy fence around back yard.

Hill moved for approval. Carnahan seconded the motion.

VOTING FOR: Hill, Jeffries, Carnahan, Wilson

VOTING AGAINST: None
ABSTAINING: None
MOTION APPROVED: 4-0-0

ITEM 6 BBOA 385 Discussion and possible action on approval of a Variance from Chapter 6, Section 630, Table 2, building Line Set Backs on an existing building, W. Michael Hackett, Attorney for applicants Travis Butts, & James O'Deen.

Chapter 6, Section 630, Table 2, Building Line Set Backs shows a set back of 50 feet. A survey has revealed that the southwest corner of the building is in the road right of way. The problem has existed for over 20 years and is just now being discovered. The action is to clear the cloud on the title. If the building should be demolished and another structure built the variance would not apply to the new building, which would be under the existing code at the time of construction.

Staff recommends approval.

Mike Hackett, attorney for the applicants, explained how the building was encroached when built some 20 years ago. He pointed out on the survey how the SW corner was encroached beyond the building line. Clients do not have current plans to build, however the present building was found to be encroached when a survey was done. They do not want to move the building and would possible like to build another behind. Because of the title problem they would like to get a variance to clear the cloud on the deed.

Motion to approve was made by Hill and seconded by Carnahan.

VOTING FOR: Hill, Carnahan, Jeffries, and Wilson
VOTING AGAINST: None
ABSTAINING: None
MOTION PASSED: 4-0-0

ITEM 2 CONSIDERATION OF MINUTES OF FEBRUARY 4, 2002. Hill asked for the date to be corrected from 2001 to 2002.

Hill moved and Jeffries seconded for approval.

VOTING FOR: Jeffries, Hill, & Wilson
ABSTAINING: Carnahan
VOTING AGAINST: None

MOTION PASSED: 3-1-0

ITEM 3 CONSIDERATION OF MINUTES OF APRIL 1, 2002.

Cannot approve must bring back at next meeting because of members present.

ITEM 4 CONSIDERTION OF MINUTES OF MAY 6, 2002.

Hill made a motion to approve and Carnahan seconded.

VOTING FOR: Jeffries, Hill, Wilson, and Carnahan

VOTING AGAINST: None

ABSTAINING: None

MOTIONG PASSED: 4-0-0

ITEM 7 OLD BUSINESS: Planner gave a report of the Hollis Martin case saying Martin had not responded to the court and the City Attorney had asked for judgment to remove the building. On the ski pond, letters had been written in the past and the police had been requested to check the area and give a report on activity concerning whether they are operating a business. The police had also been asked as of today to check the day care center and report back.

ITEM 8 NEW BUSINESS: None

ITEM 9 ADJOURNMENT

Approved _____ Date _____